

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

---

In re:

Kathleen Rodriguez

Case No.17-22661-gmh  
Chapter 13

Debtor(s).

---

**NOTICE AND REQUEST TO MODIFY CONFIRMED CHAPTER 13 PLAN**

---

Debtor(s) in the above captioned case have filed papers with the Court requesting modification of the confirmed Chapter 13 plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to confirm the modified plan as proposed, or if you want the Court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the Court a written request for hearing that contains a short and plain statement of the factual and legal basis for the objection. File your written request electronically or mail it to:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue  
Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the expiration of 21 days.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the request and enter an order confirming the modified plan.

*Attorney Richard A. Check  
757 N. Broadway, Suite 401  
Milwaukee, WI 53202  
(414) 223-0000  
court@richardacheck.com*

## REQUEST TO MODIFY CONFIRMED CHAPTER 13 PLAN

1. The person requesting this plan modification is:  
☒ the Debtor;  
☐ the Chapter 13 Trustee;  
☐ the holder of an unsecured claim, Name: \_\_\_\_\_
2. Service. A certificate of service must be filed with this request for plan modification. Designate one of the following:  
  
☒ A copy of this proposed modification has been served on the parties (the debtor, the trustee, the United States trustee and all creditors) as required by Fed. R. Bank. P. 3015(g); or  
☐ A motion requesting limited services is being filed simultaneously with the Court.
3. I request the following modification of the Chapter 13 Plan last confirmed by the Court:
  - i. Debtor shall pay the total amount of \$34,849.09 through her Chapter 13 plan to Legal Title Trust II, by U.S. Bank for the pre and post petition arrearage claims on the property located at 3121 S 41<sup>st</sup> Street, Milwaukee, WI, due to an unsuccessful Mortgage Modification.
  - ii. Debtor shall increase her plan payment to \$1018.00 biweekly for the remainder of the Chapter 13 plan.

All remaining terms of the original Chapter 13 Plan confirmed on October 12<sup>th</sup>, 2017 are unaffected. In the event of a conflict between the terms of the confirmed Plan and the terms of this modification, the terms of this modification control.

WHEREFORE, the proponent requests that the Court approve this modification to the confirmed Chapter 13 Plan.

*Attorney Richard A. Check  
757 N. Broadway, Suite 401  
Milwaukee, WI 53202  
(414) 223-0000  
court@richardacheck.com*

### **CERTIFICATION**

Each proponent or the attorney for each proponent must sign this certification. If the proponent is the Debtor, the Debtor's attorney must sign this certification, and the Debtor may, but is not required to sign. If the Debtor does not have an attorney, the Debtor must sign this certification.

**The provisions in this modified Chapter 13 plan are identical to those contained in the official local form other than the changes listed in part 3.**

I certify under penalty of perjury that the foregoing is true and correct.

Respectfully submitted: 2/21/2018

/s/: Samuel Check

Paralegal to Attorney Richard A. Check

/s/ Richard A. Check

Attorney Richard A. Check

Attorney for the proponent

*Bankruptcy Law Offices of Richard A. Check*

*757 N. Broadway, Suite 401*

*Milwaukee, WI 53202*

*(414)223-0000*

[court@richardacheck.com](mailto:court@richardacheck.com)

*Attorney Richard A. Check*

*757 N. Broadway, Suite 401*

*Milwaukee, WI 53202*

*(414) 223-0000*

*court@richardacheck.com*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Notice and Request to Modify Chapter 13 plan were mailed First Class to persons mentioned below, at their respective addresses, postage prepaid, by U.S. Mail in Milwaukee, WI on February 21<sup>st</sup>, 2018.

Kathleen Rodriguez  
3121 S 41<sup>st</sup> Street  
Milwaukee, WI 53215

\*See attached creditor matrix

Additionally, the documents referenced above were also served via electronic means on the following individuals on February 21<sup>st</sup>, 2018:

|   |   |
|---|---|
| United States Trustee<br>Eastern District of WI<br>517 E Wisconsin Ave, Rm 430<br>Milwaukee, WI 53202 | Rebecca Garcia<br>Chapter 13 Trustee<br>P.O. Box 3170<br>Oshkosh, WI 54903-3170 |
|---|---|

Date: 2/21/2018

S://  
Samuel Check  
Paralegal for Attorney Richard A. Check

*Attorney Richard A. Check  
757 N. Broadway, Suite 401  
Milwaukee, WI 53202  
(414) 223-0000  
court@richardacheck.com*